

PATENT

THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Jonathan W. Nyce : Art Unit: 1635  
Serial No.: 09/093,972 : Examiner: Janet Epps  
Filed: June 9, 1998 : Appl. Ref. No.: EPI-072  
For: **COMPOSITION, FORMULATIONS & METHOD FOR PREVENTION & TREATMENT OF DISEASES AND CONDITIONS ASSOCIATED WITH BRONCHOCONSTRICTION, ALLERGY(IES) & INFLAMMATION**

CLAIM FOR PRIORITY UNDER 35 USC '120

Assistant Secretary for Patents  
Washington DC 20231

Sir/Madam:

The applicant hereby claims priority for the above-identified U.S. Patent Application of the filing dates of the following U.S. Patent Applications under 35 USC 120:

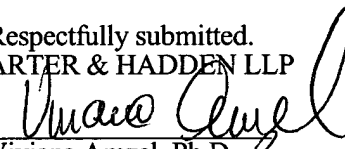
- 1- U.S.S.N. 08/472,527, filed June 7, 1995, CPA filed February 27, 1998, now U.S. Patent No. 6,040,296.
- 2- U.S.S.N. 08/757,024, filed November 26, 1996, by Jonathan W. Nyce, now U.S. Patent No. 6,025,339, which is a continuation-in-part of U.S.S.N. 08/472,527, filed June 7, 1995.
- 3- U.S.S.N. 08/474,497, filed June 7, 1995, by Jonathan W. Nyce and W. James Metzger, now U.S. Patent No. 5,994,315.
- 4- USSN 09/016,464, filed January 30, 1998, which is a divisional of USSN 08/474,497, by Jonathan W. Nyce and W. James Metzger, filed June 3, 1998, now pending.

The text of the above-identified application is being amended to contain this information.

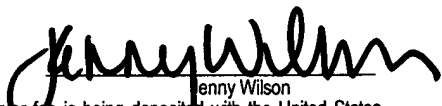
5/4/00  
Date

Citicorp Plaza  
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Respectfully submitted.  
ARTER & HADDEN LLP

  
Viviana Amzel, Ph.D.  
Reg. No. 30,930  
Attorney for Applicant

5/4/00  
Date of Deposit

  
Jenny Wilson  
I hereby certify that this paper or file is being deposited with the United States Postal Service "First Class Mail" on the date indicated above and is addressed to the Commission of Patents and Trademarks, Washington D.C. 20231.

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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COVER LETTER

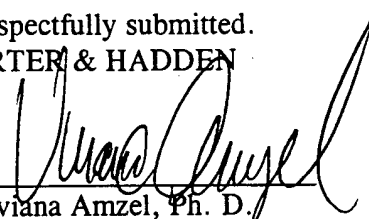
Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir/Madam:

Enclosed for filing are the following:

1. Amendment (36 sheets)	8. Form 1449 & references
2. Petition: Extension of Time & \$55 check	9. Power of Attorney (1 sheet)
3. Fee Trans. & \$36 check for extra claims	10. Substitute Utility Application (80 sheets)
4. Assignment, Recordation form & \$40	11. Copy of USPTO Notice re: Sequences
5. Declarations (3)	12. Claim For Priority (1 sheet)
6. Sequence Listing, Declaration & Disk	13. Postcard
7. Terminal Disclaimer & \$55 check	

Respectfully submitted.  
ARTER & HADDEN

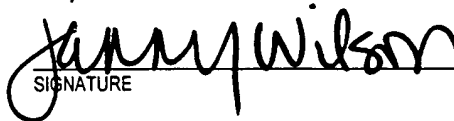


Viviana Amzel, Ph. D.  
Reg. No. 30930  
Attorney for Applicant(s)

May 4, 2000  
Date

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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington D C 20231 on May 4, 2000, by Jenny Wilson.

  
SIGNATURE

# FEE TRANSMITTAL for FY 2000

Patent fees are subject to annual revision.  
Small Entity payments must be supported by a small entity statement,  
otherwise large entity fees must be paid. See Forms PTO/SB/09-12.  
See 37 C.F.R. §§ 1.27 and 1.28.

**TOTAL AMOUNT OF PAYMENT** (\$) 186.00

## Complete if Known

Application Number	09/093,972
Filing Date	June 9, 1998
First Named Inventor	Jonathan W. Nyce
Examiner Name	Janet Epps
Group / Art Unit	1635
Attorney Docket No.	EPI-072

METHOD OF PAYMENT (check one)	FEE CALCULATION (continued)																																																																																																																								
<p>1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:</p> <p>Deposit Account Number: 01-2520</p> <p>Deposit Account Name: Arter &amp; Hadden, LLP</p> <p><input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR §§ 1.16 and 1.17</p> <p>2. <input checked="" type="checkbox"/> Payment Enclosed:  <input checked="" type="checkbox"/> Check    <input type="checkbox"/> Money Order    <input type="checkbox"/> Other</p>	<p>3. <b>ADDITIONAL FEES</b></p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Large Entity Fee Code (\$)</th> <th>Small Entity Fee Code (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>105 130</td><td>205 65</td><td>Surcharge - late filing fee or oath</td><td></td></tr> <tr><td>127 50</td><td>227 25</td><td>Surcharge - late provisional filing fee or cover sheet.</td><td></td></tr> <tr><td>139 130</td><td>139 130</td><td>Non-English specification</td><td></td></tr> <tr><td>147 2,520</td><td>147 2,520</td><td>For filing a request for reexamination</td><td></td></tr> <tr><td>112 920*</td><td>112 920*</td><td>Requesting publication of SIR prior to Examiner action</td><td></td></tr> <tr><td>113 1,840*</td><td>113 1,840*</td><td>Requesting publication of SIR after Examiner action</td><td></td></tr> <tr><td>115 110</td><td>215 55</td><td>Extension for reply within first month</td><td>55.00</td></tr> <tr><td>116 380</td><td>216 190</td><td>Extension for reply within second month</td><td></td></tr> <tr><td>117 870</td><td>217 435</td><td>Extension for reply within third month</td><td></td></tr> <tr><td>118 1,360</td><td>218 680</td><td>Extension for reply within fourth month</td><td></td></tr> <tr><td>128 1,850</td><td>228 925</td><td>Extension for reply within fifth month</td><td></td></tr> <tr><td>119 300</td><td>219 150</td><td>Notice of Appeal</td><td></td></tr> <tr><td>120 300</td><td>220 150</td><td>Filing a brief in support of an appeal</td><td></td></tr> <tr><td>121 260</td><td>221 130</td><td>Request for oral hearing</td><td></td></tr> <tr><td>138 1,510</td><td>138 1,510</td><td>Petition to institute a public use proceeding</td><td></td></tr> <tr><td>140 110</td><td>240 55</td><td>Petition to revive - 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SUBMITTED BY		Complete (if applicable)	
Name (Print/Type)	Viviana Amzel, Ph.D.	Registration No. (Attorney/Agent)	30,930
Signature		Telephone	(213) 430-3520
		Date	May 4, 2000

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